



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MAY 7 2009

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OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

Mr. Micah A. Kane
Chairman
Hawaii Department of Hawaiian Home Lands
PO Box 1879
Honolulu, HI 96805

Dear Mr. Kane:

On behalf of the United States Environmental Protection Agency (EPA), I am pleased to congratulate you and confirm that the Hawaii Department of Hawaiian Home Lands has been selected as one of the entities with which EPA will pursue negotiations to award a cooperative agreement for a brownfields cleanup grant. The Hawaii Department of Hawaiian Home Lands submitted an outstanding grant proposal, and we deeply appreciate the tremendous commitment of time and energy that went into its preparation.

Through the Small Business Liability Relief and Brownfields Revitalization Act of 2002, EPA is working to help states and communities around the country clean up and revitalize brownfield sites. We fully expect that these brownfield projects will provide benefits to the environment and economy of local communities. Debbie Schechter, your region's Brownfields Coordinator (415-972-3093), will work closely with the Hawaii Department of Hawaiian Home Lands to negotiate a cooperative agreement prior to the award of the grant.

We look forward to working with your staff on the Brownfields program in continued Federal, state, and local government cooperation.

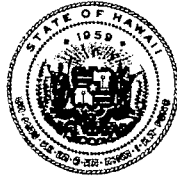
Sincerely,

A handwritten signature in black ink, appearing to read "B. N. Breen", is written over the word "Sincerely,".

Barry N. Breen
Acting Assistant Administrator

cc: Debbie Schechter

LINDA LINGLE
GOVERNOR
STATE OF HAWAII



MICHAEL KANE
CHAIRMAN
HAWAIIAN HOMES COMMISSION

KAULANA H. PARK
DEPUTY TO THE CHAIRMAN

ROBERT J. HALL
EXECUTIVE ASSISTANT

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1879
HONOLULU, HAWAII 96805

November 14, 2008

Environmental Management Support, Inc.
Attn: Mr. Don West
8601 Georgia Avenue, Suite 500
Silver Spring, MD 20910

Dear Mr. West:

Subject: State of Hawaii Brownfields Cleanup Grant

I am pleased to submit this proposal for cleanup grant funding in response to the U.S. Environmental Protection Agency's "Request for Proposals for Brownfields Cleanup Grants (EPA-OSWER-OBLR-08-08).

The subject remediation site was used as a pesticide mixing and loading area for the surrounding lands that were used to cultivate sugarcane, from about 1900 to 1994. The State of Hawaii acquired title to approximately 1,300 acres of land surrounding the subject site in 1994. The Department of Hawaiian Home Lands is developing these lands to provide affordable homes for native Hawaiians.

The following summary information is provided, in accordance with the RFP instructions for the applicant's cover letter:

Project Title	EAST KAPOLEI PESTICIDE MIXING AND LOADING AREA REMEDIATION
a. Applicant	Department of Hawaiian Home Lands P.O. Box 1879 Honolulu, Hawaii 96805
b. Funding Requested	
i) Grant Type	Cleanup
ii) Federal Funds Requested	\$200,000
iii) Contamination	Hazardous Substances
c. Location of community	East Kapolei II, Ewa District, Oahu, Hawaii 96806 (State-owned lands)

- d. Brownfields Location East Kapolei II, Ewa District, Oahu, Hawaii 96806
(the brownfields site does not have a street address)
- e. Contacts
- i.) Project Director Darrell Ing, Real Estate Development Specialist
Land Development Division, DHHL
Mailing Address P.O. Box 1879
Honolulu, Hawai'i 96805
Telephone/Fax Ph: (808) 620-9276/Fax: (808) 620-9299
e-mail darrell.h.ing@hawaii.gov
- ii) Chief Executive The Honorable Linda Lingle
Governor, State of Hawai'i
Mailing Address Executive Chambers, State Capitol
Honolulu, Hawai'i 96813
Telephone/Fax Ph (808) 586-0034 / Fax (808) 586-0006
e-mail governor.lingle@hawaii.gov
- f. Date Submitted November 14, 2008
- g. Project Period Three Years
- h. Population
- | | |
|---------------------------|--|
| State of Hawaii | 1,285,498 (U.S. Census Bureau 2006) |
| City & County of Honolulu | 909,863 (U.S. Census Bureau, 2006) |
| Ewa District | 56,105 (City Dept. of Planning & Permitting, 2006) |

Thank you for your consideration of this proposal. Please contact Mr. Ing at the addresses above, if you have any questions.

Aloha and mahalo,



Micah A. Kane, Chairman
Hawaiian Homes Commission

c: Ms. Debbie Schechter, EPA Region 9 Regional Brownfields Coordinator
Enclosures

U.S. EPA 2008 Brownfields Cleanup Grants

NARRATIVE PROPOSAL

EAST KAPOLEI PESTICIDE MIXING AND LOADING AREA REMEDIATION

State of Hawaii, Department of Hawaiian Home Lands

PROJECT OVERVIEW

The State Department of Hawaiian Home Lands (DHHL) proposes to use U.S. EPA Brownfields Cleanup Grant funds to remediate a 0.634-acre contaminated site – the former Oahu Sugar Company pesticide mixing and loading (PML) site – located on the Ewa Plain on the island of Oahu, Hawaii. DHHL is a State agency governed by the Hawaiian Homes Commission Act of 1920, which was enacted by the U.S. Congress to protect and improve the lives of native Hawaiians. The Department manages a land trust of over 200,000 acres, providing homes and land to native Hawaiians.

The PML site is part of a larger 404-acre proposed master planned community, *East Kapolei II*, which DHHL wishes to develop to provide much needed affordable homes for its target population of native Hawaiian families. The *East Kapolei II* master plan includes approximately one thousand (1,000) single family homes and one thousand (1,000) affordable multi-family rental units, many of which could be affected by the hazardous materials present at the pesticide mixing and loading site.

The *East Kapolei II* development is a vitally important part of the larger regional transformation of the Ewa Plain from agricultural use to the City of Kapolei, which has long been designated by the City and County of Honolulu as the secondary urban center for the island of Oahu. The population of the Ewa District or region, estimated to be approximately 56,000 people in 2008, is projected to reach 177,000 by the year 2030. Plans are being implemented for the construction of a West Oahu campus of the University of Hawaii, a 100,000 square-foot regional community center, a regional shopping center, and up to 21,600 residential units on the surrounding 2,500 acres. This amalgam of existing and new communities in the Kapolei/Ewa region is the larger targeted community of the cleanup project.

THRESHOLD CRITERIA FOR CLEANUP GRANTS

1. Applicant Eligibility

a. Eligible Entity

The State of Hawaii is the grant applicant. The State Department of Hawaiian Home Lands (DHHL) – a State agency responsible for management of the Hawaiian Home Lands trust and for development and delivery of lands and homes to native Hawaiians – is submitting this proposal on behalf of the State.

b. Site Ownership

The site is owned by the State of Hawaii and managed by the State Department of Land and Natural Resources (DLNR). DLNR will convey title of the site to DHHL before June 30, 2009.

2. Letter from the State Environmental Authority

A letter of acknowledgement from the State Department of Health (DOH) is attached. DOH acknowledges and supports DHHL's application for cleanup grant funds for remediation of the East Kapolei pesticide mixing and loading (PML) site.

3. Site Eligibility and Property Ownership Eligibility

Site Eligibility

a. Basic Site Information

- 1) Name of site: East Kapolei Pesticide Mixing and Loading (PML) Area, consisting of a fenced area approximately 0.634 acres in size, which lies within a 200-acre parcel identified as Tax Map Key (1) 9-1-017:088.
- 2) Address of site: The site has no assigned street address, and is located off Palehua Road, an unimproved road, at Honouliuli, Ewa, Oahu, Zip Code: 96706.
- 3) Current owner of site: State of Hawaii, Department of Land and Natural Resources (DLNR).
- 4) Site acquisition: DLNR is in the process of conveying the site to DHHL. Title transfer will be complete before June 30, 2009.

b. Status and History of Contamination at the Site

- 1) Contaminated by hazardous substances: The site is contaminated by hazardous substances associated with agricultural pesticides commonly used in the cultivation of sugarcane by plantations that operated for over a century on the Ewa Plain of Oahu until the mid 1990s. Soil samples collected from the site indicated elevated levels of dioxins, ametryn, atrazine, simazine, pentachlorophenol, arsenic, and other pesticides above EPA Region 9 residential Preliminary Remediation Goals (PRGs) and DOH Environmental Action Levels (EALs).
- 2) Operational history and current uses(s) of the site:
 - a) *Operational History* – The fenced site and surrounding lands were used to cultivate sugarcane from around 1890 to 1994: first by the Ewa Plantation, and from 1970, by the Oahu Sugar Company, Ltd. Oahu Sugar leased the site and surrounding lands from the Estate of James Campbell. Pesticide mixing and loading operations are believed to have begun at this site in 1953, and ended in 1994 when Oahu Sugar ceased all operations and closed down. The State of Hawaii acquired the site on August 22, 1994 by Land Court Document No. 2181717, recorded at the State of Hawaii Bureau of Conveyances on September 21, 1994.

b) *Current Use(s)* – The mixing plant has not been operated and the site has not been used since Oahu Sugar ended operations and the State acquired the site in 1994. What remains of the mixing plant is an abandoned forty by eighteen foot (40' x 18') wooden storage building that was used for office and storage space, an eighteen by fourteen foot (18' x 14') metal building that was used to house a boiler, and four (4) elevated steel storage tanks of various capacities that are twelve (12'), twenty-two (22') and thirty-two (32') feet above ground. The site has been fenced off and locked, and warning signs posted. The surrounding lands are used for diversified agriculture or are fallow.

- 3) Environmental concerns, if known, at the site: High levels of dioxin and furan contamination at the site pose a significant human health risk because of their high toxicity and persistence in the environment. Dioxins bind to clay particles in the soil and may be transported offsite by wind or runoff. Thus, there is a risk of human exposure not only through direct contact with contaminated soils, but also through dermal contact with, inhalation of, and ingestion of contaminated particles in windborne dust or waterborne sediments. Human exposure to dioxins has been associated with cancer, skin rashes, liver damage, impaired immune systems, and weight loss. In 1998, DOH estimated that the cancer risk from chronic exposure to dioxins in the soil at the site exceeded the upper “acceptable” risk level of 1×10^{-4} , for both residential and industrial use.

At present, the potential exposure risk is primarily for farm workers working in adjacent agricultural fields, a use that will be phased out as the *East Kapolei II* project progresses. Without remediation, however, the health and welfare of the projected 6,000 to 7,000 native Hawaiian residents of the proposed *East Kapolei II* project, particularly those living in the vicinity of the site, would be at significant risk due to potential exposure to windborne contaminated dust or waterborne contaminated sediments. The site also poses a threat to existing and new residents of the communities being built in the City of Kapolei and the Ewa region, who may visit, transit, or recreate and use facilities in the area.

Without appropriate treatment, this site also poses an ongoing threat to the environment, particularly through contaminated stormwater runoff entering drainage ways that flow to nearshore ocean waters of the island. The coastline is only about 3.5 miles from the site. The quality of the nearshore waters of Oahu, and the health and diversity of ocean biota have been in decline for many years. The transport of contaminated runoff from the site could contribute to the degradation of coastal waters in the area.

- 4) How the site became contaminated, nature and extent of contamination: The site was actively used for the storage, mixing, and loading of agricultural pesticides for almost 40 years. Pentachlorophenol with diesel or kerosene was also mixed and applied in the 1950s. Pesticides were stored, mixed, and loaded onto trucks for distribution and dispersal in the plantation fields. Soils at the site became contaminated as a result of periodic chemical spills that occurred over the years. Such spills were typically not cleaned up by plantation workers. Periodic rainstorms and stormwater runoff over the years and truck movement

on and off the site appear to have resulted in the dispersal of pesticide and contaminants outside the fenced site.

Surface and subsurface soil sampling has documented elevated levels of the following within the fenced site: dioxins/furans, arsenic, pentachlorophenol, dieldrin, diuron, atrazine, ametryn, trifluralin, terbacil, hexazinone, DDT, and other chemicals. Contamination levels are highest around the elevated storage tanks and boiler house. Laboratory analysis of samples taken in 2000 indicated dioxin concentration levels ranging from 0.065 – 333.6 ppb in the surface soils, above both the EPA Region 9 Preliminary Remediation Goals (PRGs) for residential soils of 0.0039 ppb and the EPA OSWER Directive of 1 ppb. Total dioxins/furans concentrations (TCDD TEQ) in soil decreased with depth, but were still above the EPA Directive of 1 ppb at 4 ft. Analysis of samples taken in 2007 at depths of six feet and more indicate that contaminant concentrations were below federal and State action levels. In 2007, additional surface soil samples were taken at 50 and 100 feet from the fenced area to determine the lateral extent of contamination. Laboratory results of several soil samples from outside the fenced area indicated elevated levels of dioxin above the 390 ng/kg (DOH “high risk” threshold for a future residential site). Analysis of groundwater samples taken in 2007 did not find contaminants at levels above federal or State action levels.

c. Sites Ineligible for Funding

- 1) The site is not listed or proposed for listing on the National Priorities List.
- 2) The site is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.
- 3) The site is State-owned and is not subject to the jurisdiction, custody, or control of the United States government.

d. Sites Requiring a Property-Specific Determination

The site is not subject to a removal action, under any order or consent decree, or subject to any RCRA, TSCA, or LUST action requiring a property-specific determination of eligibility for funding.

e. Environmental Assessment Required for Cleanup Proposals

A Phase I Environmental Site Assessment for the site, prepared in compliance with ASTM E1527-00, was completed in September 2004 by AMEC Earth and Environmental, Inc. for DOH. A Phase II Environmental Site Assessment was completed for the site by EnviroServices and Training Center, LLC, with funding from a DBEDT EPA Brownfields Site Assessment grant and DOH. The *Final Site Investigation and Preliminary Remedial Alternatives Analysis Report* was released in August 2007. These studies were preceded by: (1) a 1990 study conducted by the University of Hawaii and State Department of Agriculture, which included surface and subsurface soils and well water sampling and analysis; (2) a 1993 preliminary assessment study and report done by DOH; (3) additional soil sampling by DOH in 1997 and 1999; and (4) a 2000 site investigation and report completed by Lockheed/Martin/REAC for EPA Region 9.

Property Ownership Eligibility

f. CERCLA 107 Liability

The State and DHHL are not potentially liable for contamination at the site under CERCLA § 107: the State/DHHL was not an owner or operator of the facility at the time of disposal of hazardous substances, did not arrange for the treatment or disposal of hazardous substances, or accept hazardous substances for disposal or treatment at the site. The State acquired the property through a condemnation proceeding in 1994, after Oahu Sugar Company ceased its operations and after the pesticide mixing plant had been shut down.

g. Enforcement Actions

There are no known ongoing or anticipated environmental enforcement actions related to the brownfields site for which funding is sought. The site is listed in the State of Hawaii "Solid and Hazardous Wastes Sites" (SHWS) database and on the federal CERCLIS list.

h. Information on Liability and Defenses/Protections

- 1) Information on the Property Acquisition: DHHL is acquiring the property through a transfer of title from the State Department of Land and Natural Resources (DLNR). The transfer will be complete before June 30, 2009. DHHL will own the land in fee simple. DLNR is the State agency that administers and manages State public lands. The State acquired the parcel through condemnation proceedings: the transfer was effected by a Final Order of Condemnation, dated August 22, 1994 and by Dedication Deed, dated December 27, 1994, from the Estate of James Campbell. Neither DHHL, the State, nor DLNR have any familial, contractual, corporate, or financial relationships or affiliations with all prior owners or operators of the property, the Estate of James Campbell or the Oahu Sugar Company, respectively, with regards to the subject property.
- 2) Timing and/or Contribution toward Hazardous Substances Disposal: All disposal of hazardous substances found at the site occurred before the State acquired the property. Neither the State nor DHHL have caused or contributed to any release of hazardous substances at the site, arranged for the disposal of hazardous substances at the site, or transported hazardous substances to the site.
- 3) Pre-Purchase Inquiry: The pesticide mixing and loading area was first investigated in 1990 by the University of Hawaii and the State Department of Agriculture as part of a larger study of selected pesticide facilities (University of Hawaii, 1990). Soil sampling around the mixing tanks identified and confirmed the presence of pesticides and herbicides. A preliminary site assessment (PA) was conducted by DOH's Office of Hazard Evaluation and Emergency Response in 1992 that included a document review, personal interviews, and a site visit (DOH, 1993). Additional surface soil sampling was done by DOH and EPA in 1997 and 1999. In 2000, Lockheed/Martin performed a site investigation with surface and subsurface soil sampling for EPA Region 9 under the Response Engineering and Analytical Contract (REAC) (Lockheed/Martin/REAC, Dec 2000). A Phase I Environmental Site

Assessment report was completed in September 2004 by AMEC Earth & Environmental for DOH. DHHL plans to update the Phase I report within 180 days of the transfer of title.

- 4) Post-Acquisition Uses: The mixing plant area has not been used since the State acquired the site, and the site was fenced off to restrict access. DHHL proposes to cleanup and redevelop the site as park and open space for its planned *East Kapolei II* project.
- 5) Continuing Obligations: The purpose of this grant application is to enable the State to facilitate the cleanup of the site to stop any further releases, prevent future releases, and prevent exposure to hazardous substances at the site. The State/DLNR and DHHL are working with DOH to minimize exposure to the site and prevent releases from the site. Actions taken include fencing and securing the site, prohibiting use of the site, posting warning signs, and installing a temporary cap and siltation barriers. DHHL commits to: providing access to the property and assisting and cooperating with those performing the cleanup; complying with all information requests and any administrative subpoenas that may be issued in connection with the property; providing all legally required notices; and complying with and enforcing all land use restrictions and institutional controls for the property.

4. Cleanup Authority and Oversight Structure

a. **Oversight of site cleanup**

Cleanup will be performed in substantial compliance with the State Department of Health's Voluntary Response Program, Chapter 128D, Hawaii Revised Statutes. DOH's Office of Hazard Evaluation and Emergency Response (HEER), the State's CERCLA response manager, is a partner in this project and will review and approve the plans and specifications, and monitor the progress of the cleanup activities. DHHL will retain a qualified and experienced environmental contractor to provide additional technical expertise in remediating the site. The contractor will be selected through a competitive procurement process in accordance with State and federal grant requirements. DHHL will ensure that the contractor is retained in advance of any cleanup activities.

b. **Impact on adjacent or neighboring properties**

The land surrounding the site is owned by the State and is being transferred to DHHL. It is currently leased to farmers on a short-term basis and there are no structures in the immediate vicinity of the site. The impact on adjacent properties is negligible, and access for cleanup, confirmation sampling, and monitoring should be unimpeded by neighboring properties. Implementation of the site remediation project may result in some temporary disruption of access to farm fields and field roads.

5. Cost Share

a. Sources of funds

DHHL's total cost estimate for this remediation project is \$2,451,050, assuming that one of the cap-in-place alternatives evaluated in the August 2007 *Final Site Investigation and Preliminary Remedial Alternatives Analysis Report* is selected as the final remedy. This grant application requests a grant of \$200,000 from EPA, with the balance – in excess of the 20 percent cost share – being paid with funds from the DHHL Trust Fund.

DHHL is also applying for an EPA Brownfields Cleanup Revolving Loan of up to \$1.9 million from the Hawaii Brownfields Cleanup Revolving Loan Fund (HBCRLF). The HBCRLF program offers low-cost cleanup loans through an EPA coalition grant to DBEDT. The loan will provide additional funds to meet the estimated remediation costs for a larger remediation area that includes the fenced site as well as lands outside the fence that require remediation. Loan repayment will be made with funds from the DHHL Trust Fund. DHHL will cover any balance of the cleanup costs for the site and lands surrounding the site with additional funds from the Trust Fund, which is capitalized by an annual payment of \$30 million from the State general fund.

b. Hardship waiver

DHHL is not requesting a hardship waiver of the required matching funds.

6. Community Notification

DHHL notified the community of its intent to apply for an EPA brownfields cleanup grant through an ad that was published on October 7, 2008 in the Honolulu Star-Bulletin, a daily newspaper of general circulation. The ad stated that a "Public Review Draft" of the grant application was available for downloading from the DHHL website, and invited comments on the application. No public comments were received by DHHL in response to the publication of the ad. A copy of the ad is attached to this proposal.

DHHL also scheduled meetings with key stakeholder groups, including two organizations that represent the project's targeted communities, to discuss the cleanup project and the EPA grant application, and to elicit community comments:

- **Maluohai Residents Association (MRA)** meeting, October 21, 2008. The MRA represents native Hawaiian families residing in the Maluohai subdivision located on DHHL lands about 3 miles from the PML site. The MRA is representative of the demographic mix of the target population of DHHL beneficiaries who will reside in *East Kapolei II*, and shares their social and cultural values. The Association supported the Department's remediation plans, but recommended that future use of the area be limited to a parking lot.
- **Ewa Neighborhood Board (NB)** meeting, November 13, 2008. (A request to be on the October 9 agenda could not be accommodated; this was the earliest date available.)

The Ewa NB is a City and County-established and -sponsored, citizen advisory board that represents residents of the NB region and the interests of the wider Ewa community. The Ewa NB consists of eleven elected members from the community. Notification of NB meetings is handled by the City and County NB program. The board supported capping of the contaminated soils, but urged preservation of the structures as a historic site – one of the few remaining links to the plantation era.

- DHHL discussed the project with The Salvation Army, which will be developing the 100,000 square foot, multipurpose Kroc Community Center on 15 acres of land in *East Kapolei II*.

The three community organizations generally endorsed the proposed brownfields cleanup project as being beneficial to community health and to the environment.

RANKING CRITERIA FOR CLEANUP GRANTS

1. Community Need

a. Health, Welfare, and Environment

- 1) Effect of brownfields on targeted community: Oahu faces a severe shortage of affordable housing. A statewide housing policy study (Housing Policy, 2006: Housing of Native Hawaiians, SMS Research & Marketing Services, Inc., 2006) found that there was an “unmet demand” for affordable housing on Oahu of at least 50,000 and possibly as many as 100,000 units. The presence of elevated levels of dioxins/furans and other contaminants from agricultural use of the PML facility and its environs poses a major health risk for any use of the property, particularly residential use. This is a substantial impediment to private and public sector development of housing in the area, because of the environmental liability and the high cost of cleaning up dioxin contamination to residential levels. As such, the site is a serious hurdle to county and State plans to redevelop the Kapolei/Ewa region as Oahu’s second urban center.

Remediation of the site contributes to the realization of this redevelopment vision, and will allow native Hawaiian beneficiaries access to needed housing, pursuant to the provisions of the federal Hawaiian Homes Commission Act (HHCA) of 1920. The HHCA established the Hawaiian Home Lands Trust and defined the population eligible to reside on Hawaiian home lands as those native Hawaiians with at least 50% Hawaiian blood and their successors, or assignees of less than 50% Hawaiian blood. As of June 2008, there were 19,437 applicants for residential leases on Hawaiian home lands. Of these, 8,309 were for a lease on the island of Oahu. It has been estimated that 56% of these applicants have incomes below 80% of the U.S. Department of Housing and Urban Development Area Median Income (DHHL Beneficiary Needs Study, SMS Research & Marketing Services, Inc., 2003).

Without remediation, the PML brownfields site is also a significant threat to the health and welfare of farm workers in adjacent fields and existing and future

residents in the secondary targeted community of the Ewa region who visit, recreate, or use facilities, such as the Kroc Community Center, in the vicinity of the project site.

- 2) Health and welfare of sensitive populations: The future residents of *East Kapolei II* will be native Hawaiians, a group whose socioeconomic and health status tends to be poorer than the population of Oahu and the State as a whole. When compared to the general population of Oahu and the State, native Hawaiian families typically have significantly lower incomes, less education, a higher incidence of chronic diseases like diabetes, a higher incidence of substance abuse, and shorter life expectancies. Numbers of children and family size are also significantly larger for native Hawaiians than the Oahu and State averages. Native Hawaiians are also more likely to live in overcrowded houses and are more likely to be homeless (DHHL Beneficiary Needs Study, 2003). Native Hawaiians who choose to live in *East Kapolei II* will almost certainly share many of these characteristics. The presence of an unremediated contaminated site within the *East Kapolei II* community will constitute yet one more health risk for already at-risk native Hawaiian population.

Residents of *East Kapolei II* may actually be disproportionately impacted by environmental contamination. Windborne and waterborne toxic substances could have a major health impact residents because of the outdoor lifestyle of the people of Hawaii – including backyard gardening, outdoor cooking and eating, outdoor team sports, and ocean activities including swimming, surfing, fishing, diving, and canoe racing. This is particularly true for the residents of *East Kapolei II* and of the residents of the Ewa District in general, given the area's hot, dry climate and proximity to the ocean.

b. Financial Need

- 1) Economic impact of brownfields on targeted community: The *East Kapolei II* units will be occupied by native Hawaiian families. Most of these families will move to East Kapolei from other Oahu communities, primarily from the Waianae Coast to the west and from Honolulu to the east. Many native Hawaiian people and families are economically disadvantaged, with family incomes well below the County median income and unemployment rates much higher than the overall unemployment rates for the County (DHHL Beneficiary Needs Study, 2003). The high cost of housing on Oahu exacerbates families' difficulty in meeting their household needs. These families are in dire need of affordable rentals and affordable for-sale homes. The *East Kapolei II* project may help alleviate this situation, as native Hawaiians that are currently renting units on the open market will move into new homes here, thus "freeing up" rental units for others.

Given the economic disadvantages of many native Hawaiian families and their need for the affordable housing that the *East Kapolei II* project will provide, an unremediated PML brownfields site that may cause the delay or even the cancellation of the *East Kapolei II* residential development project would have an indirect, but significant economic and social impact on these families.

- 2) Limitations regarding other sources of funding for cleanup: Supplemental funding from sources like the brownfields grant program is especially critical to successful cleanup of the PML site, and thus, the *East Kapolei II* project. The State already faces a shortfall in housing. The need for affordable housing – both within the general population of Oahu and for the native Hawaiian population in particular – far exceeds the resources available to the State or DHHL. This is due in part to the fact that land, labor, transportation, and materials costs are substantially higher in Hawaii. At an average development cost (2008 construction and financing costs) of approximately \$300,000 per affordable unit, and a public sector subsidy of about \$100,000 per unit, the State and DHHL would need to invest \$5 to \$10 billion (2008) dollars to meet the need. In all of fiscal year 2007/08, the State and DHHL were able to invest approximately \$50 million in various affordable housing projects and programs – which met about 0.5% to 1% of the estimated need.

This shortfall will only worsen if the economic slide that Hawaii is starting to experience is prolonged. Visitor expenditures, a measure of the health of the State's major industry, are down 18% from last year (DBEDT, September 2008). The State's Council on Revenues has revised its projections for State revenue growth downward, and the State is projecting budget deficits for the current fiscal year and the next two years, which is forcing State departments to make budget cuts of up to 20% this fiscal year.

The State and DHHL also have to invest scarce affordable housing funds for infrastructure and home construction. To insure that homes are affordable to its beneficiaries, DHHL does not pass on the cost of land acquisition or on- and off-site infrastructure construction, which currently averages \$100,000 to 150,000 per house lot.

Every dollar spent on other costs, including the remediation of brownfields sites, reduces the number of affordable homes that DHHL can provide to native Hawaiian families or the State can provide to low and moderate income families. Supplemental funding to offset the extraordinary cost of remediating dioxin-contaminated sites is absolutely essential for this DHHL project.

2. Project Description and Feasibility of Success

a. Project Description

- 1) Describe the project: DHHL proposes to remediate the contaminated Oahu Sugar Company PML site, which is located on lands planned for the *East Kapolei II* residential community. The cleanup project consists of demolishing and removing the existing structures and installing a protective cap to serve as a barrier between the contaminated soils and exposure pathways. The protective cap would be integrated into the site design and construction of a five-acre park for *East Kapolei II* residents. The 404-acre *East Kapolei II* project is a planned community that will include some 1,000 for-sale affordable homes and 1,000 affordable rental units, schools, parks, and a major new community center to be built by the Salvation Army, funded in large part by an \$80 million contribution from Joan Kroc, the widow of the McDonald's founder. Most of the buyers and

renters of *East Kapolei II* units will be native Hawaiian people, many of whom have been waiting decades for an opportunity to purchase a home through DHHL's homestead program. The cleanup is critical to protecting the health and well-being of residents of *East Kapolei II* and providing a safe and vibrant community.

- 2) Describe the proposed cleanup plan: Based on the 2007 *Preliminary Remedial Alternatives Analysis Report*, DHHL anticipates selected remedy will be a cap-in-place option. The cleanup plan/process will include: (1) pre-plan community review and comment on remedial alternatives; (2) pre-plan preparation of a final cleanup plan, design, and necessary quality assurance, health and safety plans; (3) demolition of existing structures and disposal of contaminated structural waste; (4) construction of a geomembrane liner and installation of any monitoring systems; (5) construction of an asphaltic, concrete, or soil and vegetative cap based on the final design; (6) confirmation sampling at appropriate stages; and (7) implementation of a long-term monitoring and maintenance program to ensure the integrity of the cap. DHHL's consultant will engineer the remediation work and site design, obtain the necessary permits and approvals, and oversee and monitor all aspects of the remediation, ensuring its compliance with all applicable federal, State, and county laws. DHHL will specify that the site design and construction of the five-acre park incorporate structural measures and institutional controls necessary for the long-term protection of the cap. DHHL will ensure that land use controls and other institutional controls restricting redevelopment of the site and limiting use to park use are recorded and enforced.

b. Budget for EPA Funding and Leveraging Other Resources

- 1) Budget: The total cleanup costs for the site are estimated to be \$2,451,050. Costs are allocated to tasks as provided in the budget table below. DHHL staff will be engaged in other projects simultaneously; therefore, personnel, fringe benefits, and travel costs will be absorbed by DHHL rather than charged against the project. Likewise, equipment and supplies costs are assumed to be incidental to the remediation work and are thus included in the construction cost.

PROJECT BUDGET

Budget Categories	Engineering & Community Involvement	Demolition & Disposal of Structural Waste	Geomembrane Liner with Asphalt or Concrete Cap	Construction Management	Maintenance (30 years)	TOTAL
Project Costs						
Personnel, Fringe Benefits, Travel, Equipment, Supplies	0	0	0	0	0	0
Contractual	469,250	113,000	1,525,000	81,900	180,000	2,369,150
Other	0	5,650	76,250	0	0	81,900
Total Costs	469,250	118,650	1,601,250	81,900	180,000	2,451,050
Sources of Funds						
Total EPA Grant	0	0	200,000	0	0	200,000
EPA Cleanup Loan	462,000	113,000	1,325,000	0	0	1,900,000
DHHL Cost Share	7,250	5,650	76,250	81,900	180,000	351,050

- 2) Leveraging: DHHL anticipates applying for a loan from the Hawaii Brownfields Cleanup Revolving Loan Fund (BCRLF), for up to \$1.9 million in funds for the remediation of the PML site and surrounding lands. DHHL has earmarked \$108 million in DHHL Trust Funds and NAHASDA funds for *East Kapolei II* site improvements and infrastructure construction. The DHHL Trust Fund will be the source of funds for the repayment of the BCRLF loan. The Trust Fund will also be used to cover all other costs necessary to complete remediation of the site that exceed the funding available from an EPA Brownfields grant and a BCRLF loan.

The DHHL Trust Fund was established by the State Legislature in 1995 to settle claims made on behalf of the Hawaiian Home Lands Trust against the State. These funds are mainly used for planning, engineering, and construction of improvements to Hawaiian Home Lands for use by native Hawaiian beneficiaries. DHHL also receives revenue from the development and leasing of some of its lands for industrial, commercial, agricultural, and pastoral purposes. In fiscal year 2007, DHHL received \$9.85 million from lease rents.

DHHL continues to actively seek opportunities to leverage the DHHL Trust Fund with other funding partners, including: private sector lending for interim house construction and permanent mortgage financing under Federal Housing Administration (FHA) Section 247; Low Income Housing Tax Credits; Veterans Affairs direct loans; Rural Development (U.S. Department of Agriculture) programs; Community Development Block Grant funding; Federal Home Loan Bank of Seattle grants; Habitat for Humanity; and other State, local, and non-profit resources.

c. Programmatic Capability

- 1) Currently or Has Ever Received an EPA Brownfields Grant: DHHL has not previously received any EPA Brownfields grants. The State DOH and DBEDT have received EPA grants and are meeting their program responsibilities under the grants.
- 2) Has Not Received an EPA Brownfields Grant but has received other federal or non-federal assistance agreements:
 - *Other Funding Assistance* – Since 2002, the first program year, DHHL has received a total of \$45,391,320 in NAHASDA funds from HUD for affordable housing and housing-related activities (\$9,600,000 in 2002; \$9,537,600 in 2003; \$9,443,950 in 2004; \$8,432,000 in 2005; and \$8,377,770 in 2006). DHHL has successfully administered the grant, grant-funded programs, and the financial and reporting requirements for the NAHASDA grants.
 - *Ability to Manage a Brownfields Grant* – DHHL uses the State's Fiscal and Accounting Management System (FAMIS) for financial management, which provides standards and controls for all budgetary and financial accounting and reporting. DHHL project staff is currently managing seven on-site infrastructure construction projects throughout the State worth \$144 million. An additional five projects worth \$164 million are in the design stage. Project management is governed by State procurement and contract management statutes, internal DHHL policies, and industry standards, as well as federal funding requirements and laws where federal funds are involved. DHHL policies and procedures require continuous monitoring of construction projects by staff, the design engineer, and a construction manager. Weekly meetings are conducted with the contractor to ensure adherence to the approved construction plans and specifications, and progress according to the construction schedule. Progress payments are made monthly, only after the work completed has been verified by the engineer and construction manager.
 - *Staff expertise and qualifications* – DHHL has a staff of eight engineers/project managers to oversee the various housing development projects – some with more than twenty years of development and/or construction experience. For this project, DHHL is partnering with the DOH to ensure that additional environmental technical expertise is in place to oversee remediation planning and implementation. An environmental contractor will be hired to plan, conduct, and manage the remediation and post-cleanup monitoring.
 - *Audit Findings* – Independent auditor reports for the fiscal years ending June 30, 2004, June 30, 2005, June 30, 2006 and June 30, 2007 (latest available) determined that DHHL complied, in all material respects, with the requirements applicable to its major federal assistance agreement, HUD's NAHASDA.

3. Community Engagement and Partnerships

a. **Plan for involving the affected community**

DHHL plans to involve the representatives of their native Hawaiian constituents, Ewa region organizations, and community members in discussions of the cleanup effort via community meetings, announcements in the community's newsletter, the official DHHL website at www.hawaii.gov/dhhl, and notices in the local newspaper(s). As part of the cleanup planning process, the community and organizations will be invited to review and discuss the remedial alternatives and provide feedback on preferred alternatives as they related to health and safety concerns and master plan and site design considerations. Community organizations and community members will be given opportunities to share questions or concerns they may have with the DHHL during community meetings or by contacting DHHL by letter, telephone, or E-mail. DHHL's contact information will be provided in the community newsletters, public notices, and the Department's website. Any interpretive services at community meetings will be arranged, if requested. DHHL will ensure that copies of the cleanup's administrative record are also readily accessible in local community libraries.

Until such time as the *East Kapolei II* Master-Planned Community is constructed and occupied and an *East Kapolei II* Homestead Association is formed, DHHL will work with the Maluohai Residents Association to try to elicit the concerns of DHHL beneficiaries. Other stakeholders in this project include the Ewa Neighborhood Board, the Salvation Army, the Makakilo/Kapolei/Honokai Hale Neighborhood Board (communities west of the site), the Kalaeloa Safety Committee (community south of the site), and the major land developers in the area, including D.R. Horton/Schuler Homes, and Gentry Homes, Ltd.

b. **Developing partnerships with relevant governmental agencies and other organizations**

DHHL, DOH, DLNR, and the State Department of Business, Economic Development and Tourism, Office of Planning (DBEDT-OP) have been working together for over two years on efforts to assess contamination at the PML site and the surrounding lands in preparation for remediation and redevelopment of these lands. It is anticipated that this partnership will continue until remediation is completed, clearing the way for the *East Kapolei II* project to proceed.

Remediation of the PML site is central to DHHL's ability to complete its plans for the *East Kapolei II* community. DHHL's East Kapolei projects and associated infrastructure investments are a key component in the successful transformation of the Ewa Plain to the second urban center for Oahu. In this capacity, DHHL regularly meets and consults with other agencies active in the region, specifically, the University of Hawaii, which has plans to develop the West Oahu campus west of the *East Kapolei II* PML site; the State Department of Transportation, which is responsible for regional arterial improvements; and the State's Hawaii Housing and Finance Corporation and the Department of Education.

c. Role of key community-based organizations

The following is a list of contacts for the community-based organizations that have been consulted in the development of the *East Kapolei II* master plan, and that will be included in discussions of the remediation project as the development of the new community proceeds. The organization leaders will be invited to meetings with the development team as needed to discuss specific issues.

Organization	Contact Person & Phone Number	Representation & Description of Activities
Kapolei Neighborhood Board #34	Maeda Timson, Chair (808) 672-9414	Community advisory board, advocates to City & County of Honolulu.
Ewa Neighborhood Board #23	Rich Hargrave, Chair (telephone unlisted)	Community advisory board, advocates to the City & County of Honolulu.
Maluohai Residents Association	Shirley Swinney, President (808) 539-4209	Homestead residents association.
'Ahahui Siwila Hawai'i o Kapolei Hawaiian Civic Club	Lance C. Holden, President (telephone unlisted)	Supports programs benefitting people of Hawaiian ancestry.

DHHL will continue to consult with two key community organizations, the Ewa Neighborhood Board and the Maluohai Homestead Association, on this remediation project. Their respective roles in the project are:

- The Ewa Neighborhood Board, representing the interests of the wider Ewa community, in coordination with DHHL, will keep the Ewa community informed of the objectives, plans, and progress of the remediation project, and will provide a forum for community members to ask questions or voice any concerns about the project. The Ewa Neighborhood Board meets once a month, on the second Thursday of the month.
- The Maluohai Homestead Association, representing native Hawaiian homeowners/homesteaders in the area, will keep area native Hawaiian families informed of the objectives, plans, and progress of the remediation project. The Maluohai Homestead Association's quarterly meetings will provide a forum for native Hawaiian community members to discuss the project.

DHHL has also consulted with landowners and developers with projects in the Ewa/Kapolei area, and will continue to coordinate our efforts in the overall development of East Kapolei with these companies, including D.R. Horton/ Schuler Homes, Gentry Homes, Ltd., and others. DHHL is also partnering with the Salvation Army on the development of the \$103 million Kroc Community Center that will be located within the *East Kapolei II* community. The Kroc Center is funded in part by \$80 million in funds from the late Jean Kroc, wife of the McDonald's founder, and the center will serve residents throughout the Ewa region.

4. **Project Benefits**

a. **Welfare and/or Public Health**

Implementation of this brownfields cleanup project will prevent exposure to dioxin and other hazardous substances – for farm workers and the 6,000 to 7,000 native Hawaiian residents of *East Kapolei II*. The native Hawaiian population, as a group, has higher than average health problems, including a high incidence of heart disease and diabetes. In addition, the planned remediation project will remove a significant health threat to the growing population of the Ewa region and the Second City of Kapolei – projected to be 177,000 people by the year 2030. Remediation and redevelopment of the site as park space will also assure that affordable housing and park space is provided for needy families, thereby improving their quality of life. This cleanup project will also reduce the risk of contaminants reaching nearshore ocean waters via transport by waterborne contaminated sediments. The nearshore waters are heavily used by the people of the Ewa community for fishing, surfing, diving, swimming, and other ocean recreational activities. Maintaining the quality of nearshore ocean waters is thus a community health issue as well. DHHL will ensure that cleanup plans and procedures for dust suppression, air monitoring, and handling and disposal of contaminated wastes are followed, so that public exposure during site remediation is minimized.

b. **Economic Benefits and/or Greenspace**

- 1) Economic benefits through redevelopment of the site: Remediation of the site is a key hurdle for the successful implementation of DHHL's master plan and the development of much needed affordable housing for native Hawaiian beneficiaries in this region. Remediation would assure the delivery of homes to 6,000-7,000 new residents, which would strengthen the consumer base and labor force for commercial and retail establishments in the area, which would in turn contribute to an expanded tax base and increased job opportunities in the region. Remediation of the site would remove the real threat of exposure to contaminated property, which would have the beneficial effect of restoring value, increasing the desirability of property in the area, and allaying developer concerns that impede progress in creating the vibrant, mixed-use communities envisioned for the area.

The cleanup project contributes significantly to the realization of the City and County of Honolulu and the State's regional growth policies that direct and support growth of the City of Kapolei and the Ewa region. Development of East Kapolei II and of the Ewa region in general, will result in a significant increase in affordable housing, business development, jobs, educational institutions, community and social services, as well as increasing State tax revenues and City real property tax revenues as the region builds out. Other benefits would include increased time savings for families and an increase in the circulation of capital within the region for both households and businesses.

- 2) Other non-economic benefits associated with the site: The remediation and redevelopment of the PML site into a local park will provide much-needed greenspace within an urbanizing community. It will provide a source of

community health and pride for neighbors and users. Redevelopment as a park will ensure recreational opportunities and promote individual health and well-being for community members and park users, as well as provide visual relief, a cooler microclimate, and a carbon sink for greenhouse gases.

More importantly, the development of Kapolei and the Ewa region is essential to the State's effort to protect prime agricultural lands on Oahu and to promote the agricultural industry and food and energy security for the State. The State made a strategic decision in the 1990s to allow the redevelopment of former sugar lands for urban growth in the Ewa region, to direct growth away from the more fertile, productive agricultural lands of Central Oahu. Thus the development of the Ewa plain is critical to providing needed housing and urban amenities, and to avoid development of Central Oahu agricultural lands that have access to irrigation and overlie the groundwater aquifer that is the major drinking water source for the City and County of Honolulu. The PML site is a major impediment to the healthful reuse of a large swath of lands in the heart of the Ewa plain. Remediation of the site plays a role in a long-range land use policy to protect finite prime agricultural lands, open space, and other vital resources on Oahu.

Two major community institutions are being proposed on lands in proximity to the PML site. One is the UH West Oahu campus, a four-year college, and the Salvation Army's new Kroc Community Center, which is located on lands in the East Kapolei II project. Remediation of the contaminated PML site complements efforts to create community amenities for this urbanizing region. The community center will be the largest of its kind in the State, with an aquatic, gym and fitness facilities, a performing arts/worship center, family support services, educational and training center, athletic fields, and a state-of-the-art preschool.

c. Environmental Benefits from Infrastructure Reuse/Sustainable Reuse

DHHL is implementing design and construction best practices for sustainable development in all of its homestead projects. The homes and apartments in *East Kapolei II* will be designed and constructed in conformance with Hawaii Revised Statutes, Chapter 196 regarding energy efficiency and environmental standards for state facilities, motor vehicles, and transportation fuel. DHHL staff members associated with this project development has been trained in green-build tools and techniques, and are implementing green-build principles in their work with both building contractors and beneficiaries, including the Department requirement that all new homes be equipped with a solar water heater as a standard feature.

As discussed earlier, the development of *East Kapolei II* will be an integral part of the continuing development of the City of Kapolei and the Ewa region, which is being transformed into more sustainable, "live/work/play" community models for Oahu. Significant public and private investments are being made in infrastructure, facilities, and services to enable the creation of urban, mixed-use communities on the Ewa Plain. DHHL is investing over \$100 million in planning, site improvements, infrastructure development, and housing construction for the *East Kapolei II* project.

The project is also investing in regional infrastructure and roadway improvements, including \$17.3 million for the construction of an East-West Connector Road that will create a vital link between communities in the east Ewa region with the City of Kapolei and communities to the west, improving intraregional mobility and connectivity. The City and County is also proceeding with plans to build a fixed rail transit system that would link Kapolei with downtown Honolulu and Waikiki, providing Oahu residents with a transportation alternative to cars and buses. Cleanup of the PML site provides assurances that development of the urban pattern necessary to support transit will proceed in a timely manner.

The development of this residential project will also promote the establishment of more businesses in the Ewa region and the City of Kapolei, thus creating more jobs and further reducing the number of vehicles traveling from the Ewa region to downtown Honolulu. As more jobs, services, and goods locate within the region, this will reduce the number of work-, school-, and shopping-related vehicle trips out of the region. This would have a beneficial effect of reducing greenhouse gas emissions from vehicular use, and perhaps lower the transportation energy demand within the Ewa region through reduced fossil fuel consumption.

d. Plan for tracking and measuring progress

After remediation work for the East Kapolei Pesticide Mixing and Loading area has been completed, periodic monitoring will be conducted on a long-term basis to ensure that exposure to hazardous materials has been eliminated and/or minimized. DHHL will proceed with the implementation of the *East Kapolei II* master plan. DHHL will track and measure the progress of development in the region, and will track the benefits to native Hawaiian people that result from this long-term development process. DHHL will track measures of anticipated outputs and outcomes for the remediation project. Outputs would include the number of community members engaged in the community involvement process, the number of meetings held with community organizations, the volume of contaminated soils and land area remediated, the number of residents benefitting from cleanup at the site, the amount of funds leveraged by remediation of the site, etc. Outcome measures that might be monitored and tracked include (the lack of) detectable releases of contaminated dust or sediment, (the absence of) contamination detected in groundwater sampling, park user levels and counts, the number of resident calls or complaints regarding real or perceived exposure to contamination at the remediated site, successful completion and full occupancy of the residential and other components of the *East Kapolei II* project, and resident satisfaction with the community and remediated site.

Attachments

Letter from Department of Health acknowledging DHHL's application for U.S. EPA Brownfields Cleanup Grant, October 14, 2008

Public notice of intent to apply for grant funds and availability of draft application for review and comment (October 7, 2008)

Meeting report, Malu'ohai Residents Association, with agenda and sign-in sheet, October 21, 2008

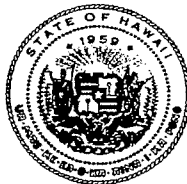
Meeting report, Ewa Neighborhood Board, with agenda, (sign-in sheet not available), November 13, 2008

Letter of support from Malu'ohai Residents Association, October 24, 2008

Letter of support from The Salvation Army, October 24, 2008

Letter of support from D.R. Horton/ Schuler Division, October 29, 2008

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File: EHA/HEER Office
2008-650MGC

October 14, 2008

Mr. Micah Kane
Chairman, Hawaiian Homes Commission
P.O. Box 1879
Honolulu, Hawaii 96805

Dear Chairman Kane:

Subject: **Letter Acknowledging the Department of Hawaiian Homelands Application for a U.S. EPA Brownfields Cleanup Grant for East Kapolei Pesticide Mixing and Loading Area**

I am writing as the environmental authority for the State of Hawaii to acknowledge that the Department of Hawaiian Homelands intends to apply for a federal Brownfields Cleanup Grant for East Kapolei Pesticide Mixing and Loading Area. This letter is required by the *U.S. EPA Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund, and Cleanup Grants*.

The Department of Health (DOH) is very pleased to offer its support to your application and I would like to urge those on the U.S. EPA Selection Committee to give it their favorable consideration. I believe your efforts to assess, cleanup, and redevelop contaminated property for affordable housing are commendable. In addition, your work is a major contribution to the statewide Hawaii Brownfields Program that the Department of Health is developing jointly with the State Office of Planning, the Department of Business, Economic Development and Tourism (DBEDT), and the counties.

We realize the Hawaiian Homelands application for the Brownfields Redevelopment Project is a high priority for the State of Hawaii and that a proper cleanup of the site is needed before development of the property can occur. In the event that Hawaiian Homelands should receive this grant, DOH is willing to assist by providing technical assistance and oversight to assure that the cleanup is done in accordance with all State and Federal requirements, and that the grant funds are properly managed to complete the assessment.

There are many areas in Hawaii in need of revitalization and many people who will benefit from the economic development of this property. We look forward to supporting your efforts. Should there be any questions, or for further assistance, please contact Melody Calisay of the Department's Hazard Evaluation and Emergency Response Office at 586-4249.

Sincerely,

A handwritten signature in black ink, reading "Laurence K. Lau".

LAURENCE K. LAU

Deputy Director for Environmental Health

LINDA LINGLE
GOVERNOR
STATE OF HAWAII



MICAH A. KANE
CHAIRMAN
HAWAIIAN HOMES COMMISSION
KAULANA H. PARK
DEPUTY TO THE CHAIRMAN
ROBERT J. HALL
EXECUTIVE ASSISTANT

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1879
HONOLULU, HAWAII 96805

NOTICE OF INTENT TO APPLY FOR GRANT FUNDS

This Notice shall satisfy a procedural requirement for activities to be undertaken by the Department of Hawaiian Home Lands.

On or about November 14, 2008, the Department of Hawaiian Home Lands (DHHL) will submit an application to the U.S. Environmental Protection Agency (EPA) for a \$200,000 "Brownfields Cleanup Grant." If this grant is awarded, the funds will be used as part of the budget for remediation of potentially hazardous materials associated with a site known as the "East Kapolei Pesticide Mixing and Loading Area," located in the Ewa District, island of Oahu. The site is located in lands DHHL is proposing to develop as a residential subdivision which would include approximately 1,000 single-family houses, 1,000 multi-family residential units, two schools, and public service facilities, including The Salvation Army's Kroc Community Center.

PUBLIC REVIEW AND COMMENTS

The "Public Review Draft Grant Application" has been posted on the DHHL website at: <http://hawaii.gov/dhhl/public-notice>. Any individual, group, or agency wishing to comment on the project may submit written comments to DHHL. All comments received by October 21, 2008, will be included in the grant application. Comments shall be addressed to Chairman, Department of Hawaiian Home Lands, P.O. Box 1879, Honolulu, HI 96805. Submittal by facsimile (620-9299, attn: Darrell Ing), or e-mail (Darrell.H.Ing@Hawaii.gov) is encouraged.



Micah A. Kane, Chairman
Hawaiian Homes Commission

Advertised: Honolulu Star-Bulletin: October 7, 2008

IN THE MATTER OF


Public Notice

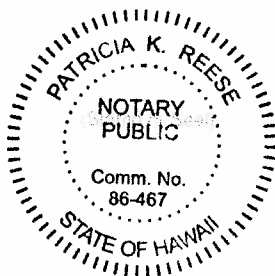
AFFIDAVIT OF PUBLICATION

STATE OF HAWAII

} SS.

City and County of Honolulu

Doc. Date: <u>OCT - 7 2008</u>	# Pages: <u>1</u>
Notary Name: <u>Patricia K. Reese</u>	First Judicial <u>Circuit</u>
Doc. Description: <u>Affidavit of</u>	
<u>Publication</u>	
	<u>OCT - 7 2008</u>
Notary Signature	Date



Rose Mae Rosales being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of MidWeek Printing, Inc. publisher of MidWeek and the Honolulu Star-Bulletin, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the aforementioned newspapers as follows:

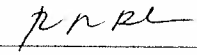
Honolulu Star-Bulletin 1 times on:
10/07/2008

Midweek Wed. 0 times on:

Midweek Fri. 0 times on:

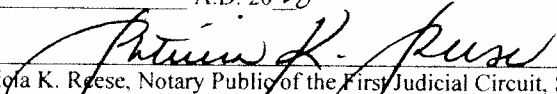
 times on:

And that affiant is not a party to or in any way interested in the above entitled matter.


Rose Mae Rosales

Subscribed to and sworn before me this 7th day

of October A.D. 20 08


Patricia K. Reese, Notary Public of the First Judicial Circuit, State of Hawaii

My commission expires: October 07, 2010

Ad # 0000074647

LN:

NOTICE OF INTENT TO APPLY FOR GRANT FUNDS

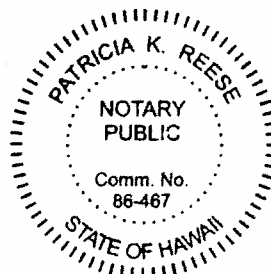
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Micah A. Kane, Chairman
Hawaiian Homes Commission
(5874647 10/7/08)





**DHHL
MEETING REPORT**

Attendee's: Maluohai Residents Assn., Darrell Ing
Date of Meeting: October 21, 2008
Location of Meeting: Villages of Kapolei Recreation Center
Time Start: 6:30 Time End: 8:00

Subject: East Kapolei II, EPA Cleanup Grant Application for Pesticide Mixing Plant Site

Topics Discussed:

- ❖ Overview of East Kapolei developments
- ❖ Pesticide mixing plant
 - ❖ history
 - ❖ Phase II Hazard Assessment results and recommendations
 - ❖ remediation alternatives and costs
 - ❖ planned use of site after remediation – park with hard-surface use over capped area (i.e., parking lot, basketball/tennis courts, skateboard park, etc.)
- ❖ Comment/recommendation from association: avoid recreational activities over contaminated area – use for parking lot

Items to Follow-up:

- ❖ Requested letter of support from association to include with grant application

Items Requiring Supervisor/Administrative Actions:

❖

Other Items of Interest:

- ❖ President Swinney briefed members on Kipuka community center project

Darrell Ing, Project Manager
(Name, Title)

10/24/08
Date

cc:

MALU'OHAI RESIDENTS ASSOCIATION
Quarterly Meeting
Tuesday, October 21, 2008
6:30pm

AGENDA

1. Pule/Welcome
2. Approval of Minutes
3. Officer's Reports/President & Treasurer
4. Presentation: DHHL, Darrell Ing/Land Management
5. Old Business
 - a. Common area maintenance
6. New Business
 - a. Ewa Development Plan
 - b. MRA Board Nominations
 - c. Kapolei Community Development Corporation
7. Kukakuka
 - a. Community forum/open discussion
 - b. Announcements: Annual meeting: January 22, 2009
7. Pau

Quarterly Meeting
Tues. 10-21-08

Tues. 10-21-08

[illegible]



**DHHL
MEETING REPORT**

Attendee's: Larry Sumida, Darrell Ing

Date of Meeting: November 13, 2008

Location of Meeting: Ewa Beach Public Library

Time Start: 7:00pm Time End: 9:00pm

Subject: Ewa Neighborhood Board – East Kapolei II Brownfields Site

Topics Discussed:

- ❖ Proposed remediation plan for former Oahu Sugar Plantation Pesticide Mixing and Loading Plant
- ❖ EPA Brownfields Grant Application – distributed Public Notice and public comment draft of grant application

Items to Follow-up:

- ❖ Representative Cabanilla requested a copy of the environmental hazard assessment reports.

Items Requiring Supervisor/Administrative Actions:

❖

Other Items of Interest:

- ❖ Motion passed by NB: That DHHL consider the alternative of capping the contaminated soils but preserve the structure as a historical site.
- ❖ Board Member Berg: Almost nothing left of the Ewa plantation facilities.
- ❖ Board Member Knauer: Wait to see if EPA under new administration changes criteria and regulations.
- ❖ Board Member Fevella: Urged consultation with Ewa Historical Society.

Darrell Ing
(Name, Title)

November 14, 2008
Date

cc: Micah Kane
Kaulana Park
Larry Sumida
Lloyd Yonenaka
Denise Iseri-Matsubara



EWA NEIGHBORHOOD BOARD NO. 23

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

**REGULAR MEETING AGENDA
THURSDAY, NOVEMBER 13, 2008
EWA BEACH PUBLIC LIBRARY
91 – 950 NORTH ROAD**

**‘OLELO BROADCAST
SUNDAY’S AT 9:00 P.M.
CHANNEL 49**

Board Meetings are held on the Second Thursday of Each Month

***** COMMITTEES’ MEET BEFORE THE BOARD MEETING AT 6:00 P.M. *****

“TIME LIMIT POLICY”

TO PROVIDE FAIR OPPORTUNITY FOR ALL, TIME LIMITS ARE ESTABLISHED FOR ALL ISSUES

RULES: Public Input 1 minute, Per Speaker (No person will speak more than once on a single topic, until and after all others had a chance to speak). All Presentations will be limited to 10 minutes. Follow up questions and answers will be limited to 1 minute per person. Board Chair may allow extended time for a speaker, on a Case by Case Basis.

NOTE: The Board may take action on any agenda item. As required by the State Sunshine Law (HRS.92), specific issues not noted on this agenda cannot be voted on, unless properly added to the agenda.

1. **CALL TO ORDER BY CHAIR** Rich Hargrave
2. **INTRODUCTION OF BOARD MEMBERS**
3. **CONDUCT OF BOARD MEETING**
4. **BOARD BUSINESS**
 - A. Review and Acceptance of the Regular Meeting Minutes of September 11, 2008
 - B. Treasurer’s Report – Board member Scott Belford
 - C. December Board Recess
5. **REPORTS (3 Minutes)**
 - A. Honolulu Fire Department (HFD) – Duty Officer
 - B. Honolulu Police Department (HPD) – Duty Officer
 - C. Ewa Weed & Seed Unit (HPD) – Sgt. Edgar Namoca
 - D. Board of Water Supply (BWS) – Cal Sueoka
 - E. Military – LTCMDR LeConte Coleman (NAVMAG Pearl Harbor)
6. **ANNOUNCEMENTS**
 - A. Governor Lingle’s Response to Board request Regarding Ft. Weaver Road Bus Relocations
 - B. State Department of Transportation bus Route 44 Change
7. **PUBLIC GENERATED ISSUES/COMMUNITY CONCERNS (3 Minutes)** (You are encouraged to submit all Concerns, Issues, Recommendations in writing to Ewa No. 23 to the Neighborhood the Commission Office for follow-up actions by this Board.
8. **UNFINISHED BUSINESS:** None
9. **NEW BUSINESS/PRESENTATIONS (10 Minutes)**
 - A. Cascadia Verizon Wireless - Presentation for a 60’ Mono-Palm Tree Antenna Tower on City & County property at the intersection Ft. Weaver and Renton Roads, Les Young
 - B. East Kapolei Brownfields – Bruce Tsuchida (State Department of Hawaiian Homelands)



10. **REPORTS BY ELECTED OFFICIALS (3 Minutes)**

- A. Mayor Mufi Hannemann's Representative – Joyce Oliveira
- B. Councilmember Todd Apo
- C. Governor's Representative – Tommy Johnson
- D. Senator Will Espero
- E. Representative Rida Cabanilla
- F. Representative Kymberly Pine
- G. Board of Education – Breene Harimoto

11. **COMMITTEE REPORTS**

- A. Executive – Chair Hargrave
- B. Parks, Recreation – Board Member Gueso
- C. Planning, Permitting, & Zoning – Board Member Tynanes
- D. Legislative & Capital Improvement Program – Board Member Berg
- E. Traffic & Transportation – Board Member Belford
- F. Oahu Metropolitan Planning Organization (OMPO) Citizens' Advisory – Board Member Belford
- G. Education – Board Member Akaka
- H. Community Affairs – Board Member Fevella

12. **ADJOURNMENT (No later than 10:00 p.m.)**

**ALL COMMITTEES MEETING
THURSDAY, November 13, 2008
EWA BEACH PUBLIC LIBRARY
91-950 NORTH ROAD
6:00 P.M.**

- 1. Call to Order
- 2. Executive Report – Chair Hargrave
- 3. Parks, Recreation & Community Affairs – Board member Clint Gueso
- 4. Planning, Permitting & Zoning – Board member Mitchell Tynanes
- 5. Legislative Issues' Report – Board member Tom Berg
- 6. Traffic & Transportation – Board member Scott Belford
- 7. Oahu Metropolitan Planning Organization (OMPO) Issues Report – Board member Scott Belford
- 8. Adjournment – no later than 6:55 p.m.

If you would like to receive this Board's agenda and minutes, please contact the Neighborhood Commission Office, Honolulu Hale, Room 406, Honolulu, HI 96813; call 768-3783; or fax 768-3711 to be added to the mailing list or visit www.honolulu.gov/nco/index1.htm.

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the Neighborhood Commission Office at 768-3710 between 8:00 a.m. and 4:00 p.m. at least 24-hours before the scheduled meeting.

*Malu'ohai Residents Association
P.O. Box 700911
Kapolei, Hawaii 96709*

October 24, 2008

Ms. Debbie Schechter
Regional Brownfields Coordinator
EPA Region 9
75 Hawthorne Street, SFD 9-1
San Francisco, CA 94105

Dear Ms. Schechter:

I am writing you to express Malu'ohai Residents' Association's support for the "Brownfields Cleanup Grant" application for the remediation of hazardous materials associated with the "East Kapolei Pesticide Mixing and Loading Area" that the Department of Hawaiian Home Lands (DHHL) plans to submit to your agency on or about November 15, 2008.

The mission of our organization is to perpetuate our cultural heritage by enhancing the education, safety and well-being of our residents with ALOHA: A-akahai, kindness; L-lokahi, unity; O-oluolu, pleasantness; H-ha'aha'a, humility; and A-ahonui, patience.

We have reviewed the "Public Review Draft" of the DHHL grant application, and have discussed the application with DHHL representatives at a recent community meeting.

As a community organization, we are strongly committed to projects and programs that will improve environmental conditions and community health. We are therefore very supportive of DHHL's proposal to implement this remediation project for a hazardous waste site that has been of concern to Ewa/Kapolei community for many years.

As this project moves forward with funding, design, and implementation, our organization will provide assistance to DHHL by informing our membership about the objectives and details of the remediation project.

We hope that you will be able to provide funds for this important brownfields cleanup project.

Sincerely,



Shirley Swinney

President, Malu'ohai Residents' Association



Founded in 1865



Ray & Joan Kroc

CORPS COMMUNITY CENTER

October 24, 2008

General William Booth
Founder

General Shaw Clifton
General

Commissioner Philip Swyers
Territorial Commander

Major Edward Hill
Divisional Commander

Major Phil Lum
*Corps Officer/
Project Director*

Captain Debbie Lum
Corps Officer

Ms. Debbie Schechter
Regional Brownfields Coordinator
EPA Region 9
75 Hawthorne Street, SFD 9-1
San Francisco, CA 94105

Dear Ms. Schechter,

We are writing to you to express our organization's support for the "Brownfields Cleanup Grant" application for the remediation of hazardous materials associated with the "East Kapolei Pesticide Mixing and Loading Area" that the Department of Hawaiian Home Lands (DHHL) plans to submit to your agency on or about November 15, 2008.

The mission of The Salvation Army is to preach the gospel of Jesus Christ and to meet human needs in His name without discrimination. The Ray & Joan Kroc Corps Community Center will provide a campus of exceptional quality where every child, regardless of social or economic status be given equal opportunity to reach his or her full potential, physically, emotionally, educationally, culturally, artistically and spiritually.

We have reviewed the "Public Review Draft" of the DHHL grant application, and have discussed the application with DHHL representatives.

As a community organization, we are strongly committed to projects and programs that will improve environmental conditions and community health. We are therefore very supportive of DHHL's proposal to implement this remediation project for a hazardous waste site that has been of concern to the Ewa/Kapolei community for many years.

As this project moves forward with funding, design, and implementation, our organization will provide assistance to DHHL by informing our membership about the objectives and details of the remediation project.

We hope that you will be able to provide funds for this important brownfields cleanup project.

Sincerely yours,

Major Phil Lum
Project Director

P.O. Box 620 • Honolulu, Hawai'i 96809-0620 • Tel (808) 440-1870 • Fax (808) 440-1970
Email Kroc.Hawaii@usw.salvationarmy.org • Visit us at www.KrocCenterHawaii.org

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SCHULER DIVISION

October 29, 2008

Honorable Micah Kane, Chairperson
Department of Hawaiian Home Lands
Hale Kalaniana'ole
91-5420 Kapolei Parkway
Kapolei, HI 96707

Dear Chairperson Kane,

Subject: Environmental Protection Agency 2008 Brownfield Cleanup Grants, EAST
KAPOLEI PESTICIDE MIXING AND LOADING AREA REMEDIATION, (DUNS
No. 809935661)

This is to indicate our strong support on your EPA Brownfield Grant request for the clean up of the former Oahu Sugar Company pesticide mixing and loading (PML) site in East Kapolei, Oahu.

We understand that the project is located on two contiguous parcels of land consisting of approximately 404 acres of land known as "East Kapolei II," located north of the community of Ewa Village on the island of Oahu, Hawaii. The PML site is at present enclosed by a chain link fence and is approximately 1.3 acres in size. The site was actively used for the storage, mixing, and loading of agricultural pesticides for about 41 years: from about 1953 to 1994. Periodic rainstorms and storm water runoff over the years have resulted in the dispersion of pesticide chemicals across a wider area surrounding the PML site. The Brownfield project would consist of the following:

1. Demolishing the existing structures on the site;
2. Construction of a geo-membrane liner;
3. Installing a soil cap and vegetative cover; and,
4. Implementing a long-term monitoring and maintenance program to ensure the integrity of the cap.

This effort is intended to prevent direct exposure and leaching of the contaminants to the groundwater.

Approximately 1,000 single-family units will be developed for native Hawaiian beneficiaries in the immediate area surrounding the site pursuant to the provision of the Hawaiian Homes Commission Act (HHCA) of 1920, as amended.

Without remediation, the PML Brownfield site could be a threat to:

- The health and welfare of the 6,000 to 7,000 people in the “primary targeted community,” as residents living in the vicinity of the PML site would be subject to coming into contact with wind-born or water-born contaminated dust and sediments.
- The people in the “secondary targeted community” who may be visiting friends or relatives in the vicinity of the site, or who may be traversing roads in the area.
- The surrounding properties, primarily those immediately down stream or at lower elevations through contaminated storm water runoff and the nearshore waters off of Ewa Beach. The coastline is only about 3.5 miles from the site. The quality of the nearshore waters of Oahu, and the health and diversity of ocean biota have been in decline for many years, and this process of environmental degradation will continue unless sites like the PML site are remediated.

Enclosed is a map showing the relation of our project to the planned developments of the Department of Hawaiian Home Lands and the University of Hawaii, West Oahu Campus. Currently, our project involves:

- Approximately 11, 750 residential units;
- 5 public schools;
- 200 acres of parks and open space; and,
- Approximately 4 million square feet of commercial/retail/business uses.

Demolition of the pesticide plant and remediation of any associated hazardous materials would remove a major health risk to the families and businesses moving into the region. We strongly support DHHL's efforts to clean up the site as expeditiously as possible.

Should you have any questions regarding this matter, please feel free to contact us directly at 808.521.5661.

Sincerely,



Dean Uchida, Vice President

